



# SJR 32 Subcommittee on Medical Liability Insurance Interim Committee

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## 58th Montana Legislature

### SENATE MEMBERS

JOHN COBB  
BRENT CROMLEY  
DUANE GRIMES  
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### HOUSE MEMBERS

GEORGE GOLIE--Chair  
ROY BROWN  
KATHLEEN GALVIN-HALCRO  
DON ROBERTS

### COMMITTEE STAFF

DAVE BOHYER, Research Analyst  
JOHN MACMASTER, Staff Attorney  
DAWN FIELD, Secretary

## Revised Tentative Agenda

### SJR 32 Subcommittee on Medical Liability Insurance

Monday, September 22 Room 102, State Capitol

- 9 a.m. I. **Call meeting to order** -- Rep. George Golie, Presiding Officer
- 9:01 II. **Introduction of Subcommittee members and staff and overview of today's meeting** -- Rep. Golie
- 9:10 III. **Overview of SJR 32 Issues:** Dave Bohyer, LSD Research Director
- 9:15 IV. **FACTORS AFFECTING THE COST OF LIABILITY INSURANCE FOR HEALTH CARE FACILITIES AND HEALTH CARE PROVIDERS ASSOCIATED WITH HEALTH CARE FACILITIES:** This topic is specifically identified in SJR 32 as a required component of the study. There are differing opinions regarding which factors affect the cost of liability insurance, as well as the degree to which any individual factor affects cost. Based on factual information and empirical analysis, the Subcommittee's consensus on the factors, including the factors' relative importance to each other, will establish the foundation of the findings, conclusions, and recommendations at which the Subcommittee may ultimately arrive. Therefore, it is critical that agreement be reached on this element of the study for the remainder of the study to proceed in a rational and systematic fashion.



#### A. Liability Insurance Regulation

- Claudia Clifford, Senior Policy Advisor, State Auditor and Insurance Commissioner
- Questions from Subcommittee

10:00 **BREAK**



#### B. Liability and Medical Providers

- Hospitals and other health care facilities -- Dick Brown, Montana Hospital Assoc.
- Physician oversight -- Jeannie Worsch, Ex. Dir., Board of Medical Examiners
- Physicians in general -- Pat Melby, Montana Medical Association
- Surgeons and other medical specialists -- Susan Good, various specialties (invited)
- Questions from Subcommittee

Noon **LUNCH**

1:15



#### B. Liability and Medical Providers (continued from morning session)

- Dentists -- Mary McCue, Montana Dental Association
- Questions from Subcommittee

2:00

#### C. Liability Insurance Providers

- Insurers in general -- Jacqueline Lenmark, American Insurance Association
- The Doctors Company -- Mona Jamison, The Doctors Company
- Questions from Subcommittee



3:00 **BREAK**

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(continued)

3:15



**D. Liability and the Legal Profession**

Attorneys at large -- Chris Manos, Montana Bar Association

- Patients as Plaintiffs -- Al Smith, Esq., Montana Trial Lawyers Association
- Facilities and Providers as Defendants -- Larry Riley, Esq., Montana Defense Trial Lawyers Association
- Questions from Subcommittee

**E. Other Stakeholders in Medical Malpractice Liability Insurance**

Anyone wishing to present relevant information to the Subcommittee is invited to comment at this time.

4:15

V.

**Discussion and Direction of SJR 32 study** -- Subcommittee members and staff

This agenda item involves the Subcommittee discussing the information provided by the various presenters earlier today. The fundamental question before the members is: Is there a crisis with medical malpractice liability insurance? If the Subcommittee arrives at any form of "Yes" to the question, additional discussion must be had to focus further research, analysis, etc., as well as the Subcommittee's future work.

4:45

VI.

**Member issues**

4:55

VII.

**Directions to staff**

5 p.m.

VIII.

**Adjourn**

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